

Applicant No. 10/827,428
Docket No. 87361.3660
Customer No. 30734

Patent

IPU



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
C. Alan Peet et al.)	Confirmation No. 2788
)	
Application No. 10/827,428)	Group Art Unit: 1724
)	
Filed: April 20, 2004)	Examiner: Thomas M. Lithgow

For: NON-PLANAR MEDIA TRANSMISSION FILTER APPARATUS AND METHOD

RESPONSE TO RESTRICTION REQUIREMENT

United States Patent & Trademark Office
Customer Service Window, Mail Stop Amendment
Randolf Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Office Action dated July 3, 2006, Applicants respectfully request reconsideration of this Office Action in light of the following remarks. In the Office Action, the Examiner required restriction under 35 U.S.C. §121 to one of the following groups:

- I. Claims 1-22 and 25, drawn to a filter, classified in class 210, subclass 232.*
- II. Claim 23, drawn to a method of filtering, classified in class 210, subclass 767.*
- III. Claim 24, drawn to a method to make a filter, classified in class 156, subclass 73.1.*

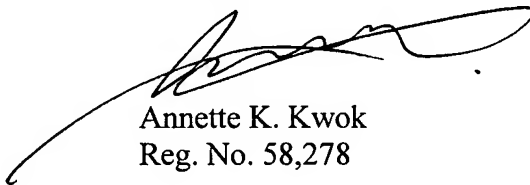
In response, Applicants hereby elect Group I, Claims 1-22 and 25 for examination in this case, with traverse.

As set forth in M.P.E.P. §803, there are two criteria for a proper requirement for restriction: 1) the inventions must be independent or distinct, and 2) there must be a serious burden on the Examiner if restriction is required. Applicants respectfully submit that the Examiner has made no showing that there would be a serious burden to examine all the embodiments of the application together.

Further, at the Examiner's disposal are powerful electronic search engines providing the Examiner with the ability to quickly and easily search all the claims. Considering that the Examiner will most likely undertake a search for the filter of claim 1 that includes a inlet-side cover having a wave-like region along the periphery of the inlet-side cover, searching for the remaining method claims that also include a method of retaining and providing the inlet-side cover would be minimally burdensome on Examiner.

In view of the above, Applicants respectfully request withdrawal of the restriction requirement and an action on the merits of all embodiments. Applicants reserve the right to pursuer the subject matter in this or another application.

Respectfully submitted,
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